

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
VICTORIA DIVISION

GLORIA FRIC,  
Plaintiff

VS.

ALLSTATE LIFE INSURANCE  
COMPANY,  
Defendant

§  
§  
§  
§  
§  
§  
§  
§

CIVIL NO. 6:21-CV-00042  
(JURY DEMANDED)

**PLAINTIFF'S MOTION IN LIMINE**

TO THE HONORABLE JUDGE OF SAID COURT:

After considering Plaintiff's Motion In Limine, the Court orders Defendant, counsel for Defendant, and all witnesses called on behalf of Defendant to refrain from any mention or interrogation, directly or indirectly, including offering documentary evidence, about any of the following matters, including the filing of this motion, without first requesting and obtaining a ruling from the court outside the presence and hearing of all prospective jurors and jurors ultimately selected in this case:

I.

The following matters would not be admissible for any purpose in this cause:

1. That Plaintiff or David Fric have been found guilty of any misconduct or criminal activity. Plaintiff would show that in fact neither Plaintiff nor David Fric have been convicted of a crime in the past ten years and that any such conviction is too remote to have any relevance in this case. FED. R. EVID. 401-404, 608, 609.

\_\_\_\_\_  
AGREED

\_\_\_\_\_  
GRANTED

\_\_\_\_\_  
DENIED

2. That Plaintiff or David Fric have been accused of any misconduct or criminal activity for which he has not been convicted. Plaintiff would show that any such evidence would not be admissible for any purpose. FED. R. EVID. 401-404, 608, 609.

\_\_\_\_\_  
AGREED

\_\_\_\_\_  
GRANTED

\_\_\_\_\_  
DENIED

3. That Plaintiff has received, has been entitled to receive, will receive, or will become entitled to receive, benefits of any kind or character from a collateral source.

\_\_\_\_\_  
AGREED

\_\_\_\_\_  
GRANTED

\_\_\_\_\_  
DENIED

4. That Plaintiff has had unrelated, prior or subsequent claims, suits or settlements, or the amounts thereof. FED. R. EVID. 402-403.

\_\_\_\_\_  
AGREED

\_\_\_\_\_  
GRANTED

\_\_\_\_\_  
DENIED

5. Any reference to any of the parties having made or proposed any settlement or compromise with any party to this suit. FED. R. EVID. 408.

\_\_\_\_\_  
AGREED

\_\_\_\_\_  
GRANTED

\_\_\_\_\_  
DENIED

6. That Defendant and counsel for Defendant be instructed not to make demands or requests before the jury for matters contained in Plaintiff's file. FED. R. EVID. 401-403.

\_\_\_\_\_  
AGREED

\_\_\_\_\_  
GRANTED

\_\_\_\_\_  
DENIED

7. Any evidence Defendant did not produce in discovery. Defendant should not be permitted to present any witness they did not name in their Interrogatories, or any evidence they failed to produce in response to any discovery. FED. R. CIV. P. 37(D).

\_\_\_\_\_  
AGREED

\_\_\_\_\_  
GRANTED

\_\_\_\_\_  
DENIED

8. Any mention of the probable testimony of a witness who is absent, unavailable, not called to testify in this cause, or not allowed, in any manner, to testify in this cause.

\_\_\_\_\_  
AGREED

\_\_\_\_\_  
GRANTED

\_\_\_\_\_  
DENIED

9. Any mention that Plaintiff's recovery will not be subject to taxation. FED. R. EVID. 401-403.

\_\_\_\_\_  
AGREED

\_\_\_\_\_  
GRANTED

\_\_\_\_\_  
DENIED

10. Any reference to this Motion or the Court's rulings hereon.

\_\_\_\_\_  
AGREED

\_\_\_\_\_  
GRANTED

\_\_\_\_\_  
DENIED

SIGNED AND ENTERED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
JUDGE PRESIDING

Respectfully submitted,

COLE, COLE, EASLEY & SCIBA, P.C.  
302 W. Forrest  
Victoria, Texas 77901  
(361) 575-0551 - Telephone  
Email: [jcole@colefirmsservice.com](mailto:jcole@colefirmsservice.com)

*/S/ Jim Cole*

BY: \_\_\_\_\_

JIM COLE  
State Bar No. 04538500  
Federal Bar No. 5883  
Samuel Cole  
State Bar No.: 24099154  
**ATTORNEYS FOR PLAINTIFF**

**CERTIFICATE OF SERVICE**

By my signature above, I certify that a true and correct copy of the foregoing instrument was delivered to all counsel of record in accordance with the applicable Federal Rules of Civil Procedure on this the 29<sup>th</sup> day of September 2022.